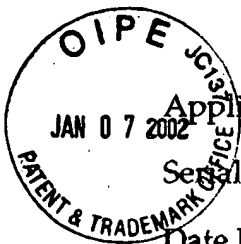


#5



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Turek et al.

Atty Dkt: 2437/103

Serial No: 09/892,205

Art Unit: 2161

Date Filed: June 26, 2001

Examiner: Not Yet Assigned

Invention: METHOD AND APPARATUS
FOR ESTABLISHING A
CUSTOMIZED ELECTRONIC SITE

Date: December 21, 2001

RECEIVED

JUL 26 2002

OFFICE OF PETITIONS

DECLARATION OF JON Y. SAFERSTEIN
IN SUPPORT OF PETITION UNDER C.F.R. 1.47(a)

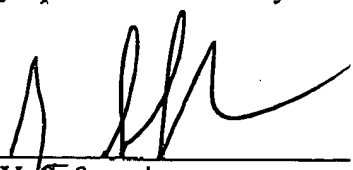
I, Jon Y. Saferstein, President, YoLogo, Inc. and Merge Left Inc., the parent company of YoLogo, Inc., hereby declare that:

1. I am the President of YoLogo, Inc. and Merge Left, Inc., the parent company of YoLogo, Inc., and a co-inventor of the subject U.S. patent application (hereinafter the Application).
2. On or about July 18, 2000, I delivered a copy of a draft of United States provisional application 60/220,330 (hereinafter, the Provisional), from which the Application claims priority, to David G. Turek for his review and comments. (A copy of a facsimile from Bromberg & Sunstein LLP (the attorneys of record with respect to both the Provisional and the Application) to YoLogo, Inc. on July 18, 2000 enclosing the Provisional is enclosed herewith.)
3. On September 14, 2000, Mr. Turek executed an assignment of the Provisional to YoLogo, Inc. (A copy of the Assignment and the Notice of Recordation from the United States Patent and Trademark Office is enclosed herewith.)
4. On August 15, 2001, I contacted Mr. Turek via e-mail and informed him that as a co-inventor of the Application his signature was required on a Combined Declaration and Power of Attorney (hereinafter the Declaration).

5. On August 17, 2001, I received an e-mail from Mr. Turek in which he indicated that he would not sign the Declaration. (A copy of the August 17, 2001 e-mail is enclosed herewith.)
6. On August 20, 2001, I had a copy of the Declaration to delivered by Matthew Muller, Vice President of Merge Left, Inc. to Mr. Turek, and instructed Mr. Muller to ask Mr. Turek to sign the Declaration and return it to Merge Left, Inc.
7. When this effort was unsuccessful, on October 20, 2001, I sent a letter, via Federal Express, to Mr. Turek at his home, 23135 Park Contessa, Clabaras, CA 91302 enclosing the Declaration, and asking him to sign the Declaration. In this letter, I informed Mr. Turek that I needed to receive the signed Declaration by November 5, 2001. I have not received a response to this correspondence. (Copies of the letter and associated enclosures and the Federal Express delivery status indicating delivery of letter the dated October 20, 2001 on October 22, 2001 are enclosed herewith.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 12/21/01


Jon Y. Saferstein